

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICHAH VONGSVIRATES,

Plaintiff,

v.

RUSHMORE LOAN MANAGEMENT
SERVICES,

Defendant.

Case No. 1:21-cv-00012-NONE-SAB

ORDER DISREGARDING “EXHIBIT F”

(ECF No. 5)

Vichai Vongsvirates (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, filed this action on January 4, 2021. (ECF No. 1.) On January 8, 2021, the court screened Plaintiff’s complaint and found that it did not state a cognizable claim. (ECF No. 4.) Plaintiff was granted leave to file an amended complaint within thirty days. (*Id.*) On January 21, 2021, Plaintiff filed a document entitled “Exhibit F”, which appears to be an addendum to the complaint, which argues the merits of the action and that the foreclosure sale of the property should be reversed.

First, Plaintiff is advised that the Local Rules of the Eastern District Provide that a complaint must be “complete in itself without reference to the prior or superseded pleading.” Local Rule 220. Plaintiff shall file his amended complaint in a single filing.

Second, as Plaintiff was advised in the January 21, 2021 screening order a complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to

1 relief. . .” Fed. R. Civ. P. 8(a)(2). Although a court must accept as true all factual allegations
2 contained in a complaint, a court need not accept a plaintiff’s legal conclusions as true. Ashcroft
3 v. Iqbal, 556 U.S. 662, 678 (2009). Therefore, Plaintiff’s legal citations, argument, and legal
4 conclusions are not sufficient to state a claim in this action.

5 Third, the Court has considered Plaintiff’s complaint and found that the factual
6 allegations are insufficient to state a claim and Exhibit F contains no factual allegations that
7 would cause the Court to hold differently.

8 Accordingly, “Exhibit F” is HEREBY DISREGARDED.

9
10 IT IS SO ORDERED.

11 Dated: January 22, 2021


UNITED STATES MAGISTRATE JUDGE